REMARKS

Claims 1-8 and 10-20 remain in this application. Claim 9 has been canceled as being duplicative of present claim 14.

For the sake of clarity, and to emphasize the patentable distinctions of applicant's invention over the prior art, claim 1 has been amended to recite a system for placing an advertisement on the monitor of a computer of a user of an Internet Service Provider connected to the computer via a connection having a connection speed, whereby access by the user of the Internet Service Provider triggers display of the advertisement in a temporary and non-dismissible window on the monitor for a predetermined time period and effects compensation of the registered user; and whereby upon registration, the registered user surrenders any option to decline to receive the advertisements during his/her access to the Internet Service Provider.

Claim 4, which depends from present claim 1, has been amended to recite a system wherein at least one application set comprises means for generating a series of advertisements in a non-dismissible and temporary browser window on said monitor, each advertisement being displayed for a predetermined time period.

In order to emphasize the patentable distinctions of applicant's invention over the prior art, claims 8, 15, and 16 has been amended to recite a method for advertising to a user of an Internet Service Provider each respective claim having the step of displaying said advertisement in a browser window on a monitor of said registered user, said window being non-dismissible and temporary and displayed for a predetermined time period, and whereby upon registration, said registered user surrenders any option to

decline to receive said advertisements during said access to said Internet Service Provider.

Each of the foregoing amendments is clearly supported by the original specification. In particular each of the amendments to the claims that require the advertisements to be displayed on the monitor *for a pre-determined time period* finds support in the specification, as originally filed, at page 9, lines 2-5; and page 10, lines 14-16. Furthermore, each of the amendments to the claims requiring that *upon registration, the instant user surrenders any option to decline to receive/view ads* finds support in the specification, as originally filed, at page 5, lines 8-10; page 6, lines 6-11; page 7, lines 8-9 and lines 13-14; page 9, lines 10-17; and page 10, lines 5-6. Consequently, no new matter has been added.

Applicant's invention provides a system and method for disseminating advertising via the Internet. In one aspect, the invention provides an Internet user the opportunity to receive compensation in exchange for accepting the display of advertisements on his/her computer monitor in a non-dismissible browser window, wherein each advertisement is displayed for a predetermined time period. Although other forms of advertising via the Internet are known, the present system provides a combination of benefits to both the advertiser and the user. The advertiser has assurance that advertisements will be presented to the user, and the likelihood for the advertiser of influencing the user is increased, since the advertisement is inexorably displayed on the user's computer web browser for a known time interval. The user, on the other hand, has voluntarily agreed to accept such advertising in exchange for assured compensation in the form of monetary

recompense or the like. That is to say upon registration, the registered user surrenders any option to decline to receive the advertisements during his/her access to the Internet Service Provider.

Claims 1,3-15, and 20 were rejected under 35 USC 102(e) as being anticipated by US Patent 6,687,737 to Landsman et al. in view of US Patent 5,855,008 to Goldhaber et al.

Landsman et al. disclose a technique for implementing in a networked client-server environment, e.g., the Internet, network distributed advertising in which advertisements are downloaded from an advertising server to a browser executing at a client computer. The advertisements are subsequently displayed interstitially in response to a click-stream generated by the user to move from one web page to another.

Goldhaber et al. provides an approach for distributing advertising and other information over a computer network. The method is said to be usable to provide direct, immediate payment to a consumer for paying attention to an advertisement or other information.

As amended, claim 1 (and claims 3-7 and 20 dependent thereon) requires a registration means by which an Internet user can become a registered user and a compensation means by which the user is thereafter compensated, e.g. by a monetary payment or other suitable form of compensation, for receiving advertisements that are displayed on the user's computer monitor in a window that cannot be dismissed before a predetermined time period fixed in the protocol by which the advertisement is transmitted from the Internet Service Provider. As amended, claim 1 is submitted to require in

combination (i) the aforementioned registration means, (ii) compensation means, (iii) at least one application logic set stored on the server, each of the application logic sets being provided with means for causing a browser of the user to display the advertisement in a non-dismissible and temporary browser window on the monitor for a predetermined time period, and (iv) whereby upon registration, the registered user surrenders any option to decline to receive the advertisements during his/her access to the Internet Service Provider. It is submitted that the required combination of these features are not disclosed or suggested by Landsman et al. in view of Goldhaber et al. It is thus submitted that the subject matter of claims 1, 3-7, and 20 is novel over Landsman et al. in view of Goldhaber et al.

In view of the amendment to claim 1 and the foregoing remarks, it is submitted that claims 1, 3-7, and 20 are novel over Landsman et al. in view of Goldhaber et al.

In as much as present claim 8 (and claims 10-14 dependent thereon), as well as present claim 15 have been amended in the same fashion as present claim 1, it is submitted that claims 8 and 10-15 are novel over Landsman et al. in view of Goldhaber et al. for the same reasons discussed hereinabove, regarding the rejection of claim 1. In particular, claim 8 (and claims 10-14 dependent thereon), as well as present claim 15 have been amended to require a method for advertising to a user of an Internet Service Provider, having the step of displaying said advertisement in a browser window on the monitor of said registered user, said window being non-dismissible and temporary and displayed for a predetermined time period, and whereby upon registration, said registered

user surrenders any option to decline to receive said advertisements during said access to said Internet Service Provider.

Further regarding claim 8, the Examiner has indicated that Goldhaber et al. teaches many embodiments whereby a registered computer user is compensated for viewing advertising. However, applicant respectfully submits that any system implemented in accordance with the combined teaching of Landsman et al. and Goldhaber et al. would not incorporate the features required by claim 8. While Goldhaber et al. admittedly discloses certain forms of compensation of computer users, it is submitted that the Goldhaber et al. technique differs from that of claim 8 in significant respects. In particular, the Goldhaber et al. technique calls for users to be presented with a window having a list of ads that the user may elect to view. Col. 7, lines 28-30. Next to the titles displayed on the ad list is a "consumer interface button" with a distinctive style. The user receives compensation only after opening one of the listed ads by mouse-clicking the customer interface button corresponding to the given ad. Col. 7, lines 51-55. The user thus may avoid seeing ads altogether, albeit foregoing compensation as a result. By way of contrast, in the method provided by amended claim 8, by the act of registering, the user surrenders any option to decline to receive advertising during an Internet session, but in exchange is assured of compensation. Such a transaction is far more beneficial from the point of view of the advertiser, who is assured that his/her ads will be disseminated in non-dismissible browser windows. Even in combination, Landsman et al. and Goldhaber et al. fail to disclose or suggest such a method. Extensive reconstruction would be required to modify any method disclosed or suggested by Landsman et al. and

Goldhaber et al. to provide the particular steps delineating the method of applicant's amended claim 8. Applicant respectfully submits that such reconstruction is not fairly taught by the Landsman et al. and Goldhaber et al. references, nor is there any evidence adduced by the Examiner, which points to motivation for such a reconstruction.

In view of the amendments to claims 8 (as well as claims 10-14 dependent thereon) and 15, and the foregoing remarks, it is submitted that claims 8 and 10-15 are novel over Landsman et al. in view of Goldhaber et al.

Accordingly, reconsideration of the rejection of claims 1, 3-15, and 20 under 35 USC 102(e) as being anticipated by Landsman et al. in view of Goldhaber et al. is respectfully requested.

Claims 2 and 16-19 were rejected under 35 USC 102(e) as being anticipated by Landsman et al. in view of Goldhaber et al. and US Patent 5,854,897 to Radziewicz et al.

Radziewicz et al. discloses a communications marketing system, which allows a client station accessing a computer network through a Network Service provider to receive advertisements whenever the connection path between the client station and the Service Provider is idle.

Significantly, neither Landsman et al., Goldhaber et al., nor Radziewicz et al. discloses or suggests any system having, in combination, the aforementioned features delineated by claim 1, from which claims 2 and 18 depend, namely (i) registration means, (ii) compensation means, (iii) at least one application logic set stored on the server, each of the application logic sets being provided with means for causing a browser of the user to display the advertisement in a non-dismissible and temporary browser window on the

monitor for a predetermined time period, and (iv) whereby upon registration, the registered user surrenders any option to decline to receive the advertisements during his/her access to the Internet Service Provider It is therefore respectfully submitted that claims 2 and 18 patentably define over the combination of Landsman et al., Goldhaber et al., and Radziewicz et al.

Accordingly, reconsideration of the rejection of claims 2 and 18 under 35 USC 102(e) as being unpatentable over the combination of Landsman et al., Goldhaber et al. and Radziewicz et al. is respectfully requested.

Inasmuch as claim 16 (and claims 17 and 19 dependent thereon) have been amended in the same fashion as present claim 1, it is submitted that claims 16, 17 and 19 are novel over Landsman et al. in view of Goldhaber et al. and Radziewicz et al. for the same reasons discussed hereinabove, regarding the rejection of claim 1. In particular, claim 16 (and claims 17 and 19 dependent thereon) have been amended to require a method for advertising to a user of an Internet Service Provider, having the step of displaying said advertisement in a browser window on the monitor of said registered user, said window being non-dismissible and temporary and displayed for a predetermined time period, and whereby upon registration, said registered user surrenders any option to decline to receive said advertisements during said access to said Internet Service Provider.

In view of the amendments to claim 16 (and claims 17 and 19 dependent thereon) and the foregoing remarks, it is submitted that claims 16, 17 and 19 are novel over Landsman et al. in view of Goldhaber et al. and Radziewicz et al.

Accordingly, reconsideration of the rejection of claims 16, 17, and 19 under 35 USC 102(e) as being anticipated by Landsman et al. in view of Goldhaber et al. and Radziewicz et al. is respectfully requested.

CONCLUSION

In view of the amendment to the claims and the foregoing remarks, it is respectfully submitted that the present application has been placed in allowable condition. Reconsideration of the rejections set forth in the Office Action dated December 10, 2004, entry of this amendment, and allowance of claims 1-8 and 10-20, as amended, earnestly solicited.

Respectfully submitted,

Andrew S. Kanter

By

Ernest D. Buff
(His Attorney)
Reg. No. 25,833
(908) 901-0220